

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GARRED F. NORMAN,

Plaintiff,

v.

JOHN DOE, et al.,

Defendants.

Case No. [23-cv-03271-SI](#)

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION AND  
DISMISSING COMPLAINT**

Re: Dkt. No. 7

Self-represented plaintiff Garred F. Norman filed the complaint in this case along with an application for leave to proceed without prepayment of the court filing fees (“in forma pauperis,” or “IFP”). Dkt. Nos. 1, 2. The case was originally assigned to Magistrate Judge Spero. On July 17, 2023, Judge Spero denied plaintiff’s IFP application and ordered plaintiff to pay the \$402.00 filing fee by no later than August 18, 2023. Dkt. No. 5. Judge Spero warned plaintiff that failure to pay the filing fee by that date would result in dismissal of the action without prejudice. To date, plaintiff has not paid the filing fee.

On August 25, 2023, Judge Spero issued a Report and Recommendation recommending that the Court dismiss this matter for failure to pay the filing fee. Dkt. No. 7. Because not all parties had consented to the jurisdiction of a magistrate judge, Judge Spero also requested the case be reassigned to a district judge. The case was randomly reassigned to this Judge. Dkt. No. 8. The Report and Recommendation was mailed via first class mail. Objections to Judge Spero’s Report and Recommendation were due within 14 days of the date on which plaintiff received a copy of the Report and Recommendation. No objections have been received.

This Court hereby ADOPTS Judge Spero’s Report and Recommendation. Because plaintiff has failed to pay the court filing fee as previously ordered (Dkt. No. 5), the Court DISMISSES

plaintiff's complaint without prejudice, for failure to pay the filing fee.<sup>1</sup>

**IT IS SO ORDERED.**

Dated: September 19, 2023



SUSAN ILLSTON  
United States District Judge

United States District Court  
Northern District of California

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<sup>1</sup> The Court notes that plaintiff filed a very similar case last year in *Norman v. Federal Bureau Investigation*, No. 22-cv-7648-WHA. Judge Alsup dismissed that case without prejudice for failure to pay the filing fee, and the Ninth Circuit dismissed plaintiff's appeal as frivolous on June 28, 2023. Plaintiff filed the new lawsuit in this case two days later. *See* Dkt. No. 1.